



COPY OF PAPERS  
ORIGINALLY FILED

PATENT  
Docket No. 473532000620

### DECLARATION FOR UTILITY PATENT APPLICATION

AS BELOW-NAMED INVENTORS, WE HEREBY DECLARE THAT:

Our residences, post office addresses, and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: METHOD AND APPARATUS BASED ON BUNDLED CAPILLARIES FOR HIGH THROUGHPUT SCREENING, the specification of which is attached hereto unless the following box is checked:

☒ was filed on February 19, 2002 as United States Application Serial No. 10/080,274.

WE HEREBY STATE THAT WE HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

We acknowledge the duty to disclose information which is material to the patentability as defined in 37 C.F.R. § 1.56.

We hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Application No.	Country	Date of Filing (day/month/year)	Priority Claimed?
			<input type="checkbox"/> Yes <input type="checkbox"/> No

We hereby claim benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

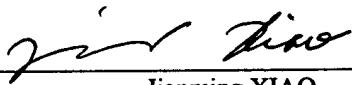
Application Serial No.	Filing Date
60/269,642	02/16/2001
60/271,002	02/22/2001
60/302,735	07/03/2001
60/314,747	08/24/2001
60/315,285	08/27/2001
60/327,686	10/04/2001

We hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, we acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.


Application Serial No.	Filing Date	Status
09/791,410	02/22/2001	<input type="checkbox"/> Patented <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


5/7/02  
Date

  
Name: Jianming XIAO  
Residence: 348 Dana Street, Fremont, California 94539  
Citizenship: People's Republic of China  
Post Office Address: Same as above


5/2/02  
Date

  
Name: Shiping CHEN  
Residence: 45084 Cougar Circle, Fremont, California 94539  
Citizenship: United Kingdom  
Post Office Address: Same as above

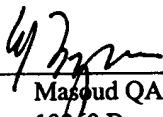
Date

  
Name: Yuling LUO  
Residence: 20910 Sherman Drive, Castro Valley, California 94552  
Citizenship: United States of America  
Post Office Address: Same as above

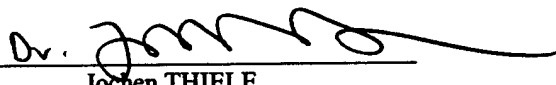
5/15/2002  
Date

  
Name: John BUTLER  
Residence: 1527 Georgetta Drive, San Jose, California 95125  
Citizenship: United States of America  
Post Office Address: Same as above

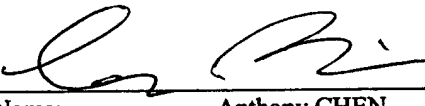
5/3/2002  
Date

  
Name: Masoud QAZAN  
Residence: 19260 Buren Place, Castro Valley, California 94552  
Citizenship: United States of America  
Post Office Address: Same as above

5/9/2002  
Date

  
Name: Jochen THIELE  
Residence: 2017 California Street, No. 13B, Mountain View, California 94040  
Citizenship: Germany  
Post Office Address: Same as above

05-02-2002  
Date

  
Name: Anthony CHEN  
Residence: 1063 Morris Avenue, No. 6307, Sunnyvale, California 94089  
Citizenship: United States of America  
Post Office Address: Same as above



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PTO/SB/96 (08-00)

Approved for us through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Jianming XIAO et al.

Application No./Patent No.: 10/080,274

Filed/Issue Date: February 19, 2002

Entitled: METHOD AND APPARATUS BASED ON BUNDLED CAPILLARIES FOR HIGH THROUGHPUT SCREENING

GenoSpectra, Inc., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_%

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

May 02, 2002  
Date

Anthony C. Chen  
Signature  
President  
Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Attorney Docket No.: 473532000620

ASSIGNMENT  
JOINT**COPY**

THIS ASSIGNMENT, by Jianming XIAO, Shiping CHEN, Yuling LUO, John BUTLER, Masoud QAZAN, Jochen THIELE and Anthony CHEN (hereinafter referred to as the assignors), residing at 348 Dana Street, Fremont, California 94539, 45084 Cougar Circle, Fremont, California 94539, 20910 Sherman Drive, Castro Valley, California 94552, 1527 Georgetta Drive, San Jose, California 95125, 19260 Buren Place, Castro Valley, California 94552, 2017 California Street, No. 13B, Mountain View, California 94040 and 1063 Morris Avenue, No. 6307, Sunnyvale, California 94089, respectively, witnesseth:

WHEREAS, said assignors have invented certain new and useful improvements in METHOD AND APPARATUS BASED ON BUNDLED CAPILLARIES FOR HIGH THROUGHPUT SCREENING, set forth in an application for Letters Patent of the United States, bearing Serial No. 10/080,274 and filed on February 19, 2002; and

WHEREAS, GenoSpectra, Inc., a corporation duly organized under and pursuant to the laws of California and having its principal place of business at 6519 Dumbarton Circle, Fremont, California 94555 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto said assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the sole and lawful owners of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

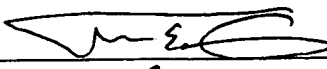
AND for the same consideration, said assignors hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that said assignors will, whenever counsel of said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

AND said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

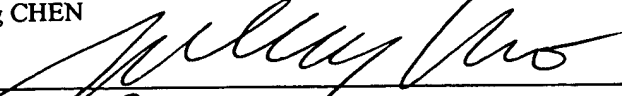
5/7/02  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Jianming XIAO


5/2/02  
Date

  
Shiping CHEN

5/15/2002  
Date

  
Yuling LUO

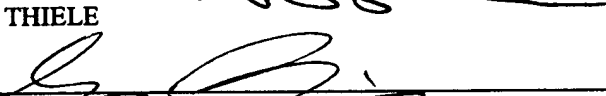
5/3/2002  
Date

  
John BUTLER

5/9/2002  
Date

  
Masoud QAZAN

5-02-2002  
Date

  
Jochen THIELE

5-02-2002  
Date

  
Anthony CHEN

**COPY**

Applicant/Patentee: Jianming XIAO et al.

Docket No.: 473532000620

Serial No./Patent No.: 10/080,274

Filed on/Issued: February 19, 2002

For: METHOD AND APPARATUS BASED ON BUNDLED CAPILLARIES FOR HIGH THROUGHPUT SCREENING

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
37 C.F.R. §§ 1.9 AND 1.27 — SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: GenoSpectra, Inc.

ADDRESS OF CONCERN: 6519 Dumbarton Circle, Fremont, California 94555

I hereby declare that the above identified small business concern qualifies as a small business concern pursuant to 37 C.F.R. 1.27 and 13 C.F.R. § 121.802, for purposes of paying reduced fees to the United States Patent and Trademark Office, and the number of employees of the concern, including those of its affiliates, does not exceed 500 persons.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled METHOD AND APPARATUS BASED ON BUNDLED CAPILLARIES FOR HIGH THROUGHPUT SCREENING by inventor(s) Jianming XIAO, Shiping CHEN, Yuling LUO, John BUTLER, Masoud QAZAN, Jochen THIELE and Anthony CHEN described in:

- ☐ the specification filed herewith with title as listed above.  
☒ the application identified above.  
☐ the patent identified above.

If the rights held by the above identified business concern are not exclusive, each individual, concern or organization having rights in the invention qualify for small entity status, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.27, or a nonprofit organization under 37 C.F.R. § 1.27.

Each person, concern or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.  
☐ each such person, concern or organization is listed below.

NAME	ADDRESS	TYPE
		<input type="checkbox"/> Individual <input type="checkbox"/> Small Business Concern <input type="checkbox"/> Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification or any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Anthony C. Chen

TITLE OF PERSON IF OTHER THAN OWNER: President

ADDRESS OF PERSON SIGNING: 6519 Dumbarton Circle, Fremont, California 94555

SIGNATURE: \_\_\_\_\_

DATE: May 2, 2002



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Jianming XIAO et al.

Serial No.: 10/080,274

Filing Date: February 19, 2002

For: METHOD AND APPARATUS BASED  
ON BUNDLED CAPILLARIES FOR  
HIGH THROUGHPUT SCREENING

Examiner: To Be Assigned

Group Art Unit: 1743

**PROSECUTION BY ASSIGNEE AND POWER OF ATTORNEY  
UNDER 37 C.F.R. § 3.71**

**BOX MISSING PARTS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

GenoSpectra, Inc., the assignee of the entire right, title and interest in this patent application, under 37 C.F.R. § 3.71 hereby appoints:

Lisa A. Amii (Reg No. 48,199)  
Mehran Arjomand (Reg No. 48,231)  
Erwin J. Basinski (Reg No. 34,773)  
Richard R. Batt (Reg No. 43,485)  
Jonathan Bockman (Reg No. 45,640)  
Barry E. Bretschneider (Reg No. 28,055)  
Nicholas Buffinger (Reg No. 39,124)  
Mark R. Carter (Reg No. 39,131)  
Peng Chen (Reg No. 43,543)  
Thomas Chuang (Reg No. 44,616)  
Cara M. Coburn (Reg No. 46,631)  
Raj S. Davé (Reg No. 42,465)  
David Devernoe (Reg No. P-50,128)  
Stephen C. Durant (Reg No. 31,506)  
Elisabeth M. Evertsz (Reg No. 50,304)  
David L. Fehrman (Reg No. 28,600)  
Thomas George (Reg No. 45,740)

Randolph Ted Apple (Reg No. 36,429)  
Laurie A. Axford (Reg No. 35,053)  
Shantanu Basu (Reg No. 43,318)  
Vincent J. Belusko (Reg No. 30,820)  
Kimberly A. Bolin (Reg No. 44,546)  
Tyler S. Brown (Reg No. 36,465)  
A. Randall Camacho (Reg No. 46,595)  
Robert K. Cerpa (Reg No. 39,933)  
Alex Chartove (Reg No. 31,942)  
Thomas E. Ciotti (Reg No. 21,013)  
Matthew M. D'Amore (Reg No. 42,457)  
Peter Davis (Reg No. 36,119)  
Karen B. Dow (Reg No. 29,684)  
Richard R. Eckman (Reg No. 42,504)  
Carolyn A. Favorito (Reg No. 39,183)  
Hector Gallegos (Reg No. 40,614)  
Deborah S. Gladstein (Reg No. 43,636)



Debra J. Glaister (Reg No. 33,888)  
Bruce D. Grant (Reg No. 47,608)  
Douglas G. Hodder (Reg No. 41,840)  
Charles D. Holland (Reg No. 35,196)  
Jill A. Jacobson (Reg No. 40,030)  
Madeline I. Johnston (Reg No. 36,174)  
Ararat Kapouytian (Reg No. 40,044)  
Cameron A. King (Reg No. 41,897)  
Kawai Lau (Reg No. 44,461)  
Rimas T. Lukas (Reg No. 46,451)  
Robert S. McArthur (Reg No. 45,674)  
Philip A. Morin (Reg No. P-45,926)  
Martin M. Noonan (Reg No. 44,264)  
Phillip Reilly (Reg No. 41,415)  
Robert E. Scheid (Reg. No. 42,126)  
Terri Shieh-Newton (Reg No. 47,081)  
Kevin R. Spivak (Reg No. 43,148)  
Thomas L. Treffert (Reg No. P48,279)  
Michael R. Ward (Reg No. 38,651)  
Todd W. Wight (Reg No. 45,218)  
Frank Wu (Reg No. 41,386)  
Peter J. Yim (Reg No. 44,417)  
Karen R. Zachow (Reg No. 46,332)

Kenneth R. Glick (Reg No. 28,612)  
Johney U. Han (Reg No. 45,565)  
Alan S. Hodes (Reg No. 38,185)  
Arthur S. Hsieh (Reg No. 48,247)  
Wayne Jaeschke, Jr. (Reg No. 38,503)  
Parisa Jorjani (Reg No. 46,813)  
Richard C. Kim (Reg No. 40,046)  
Lawrence B. Kong (Reg No. P49,043)  
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Kate H. Murashige (Reg No. 29,959)  
Catherine M. Polizzi (Reg No. 40,130)  
Robert Saltzberg (Reg No. 36,910)  
Debra A. Shetka (Reg No. 33,309)  
David Smith (Reg No. 39,839)  
Stanley H. Thompson (Reg No. 45,160)  
Brenda J. Wallach (Reg No. 45,193)  
E. Thomas Wheelock (Reg No. 28,825)  
Eric Witt (Reg No. 44,408)  
David T. Yang (Reg No. 44,415)  
George C. Yu (Reg No. 44,418)

all of Morrison & Foerster LLP, 755 Page Mill Road, Palo Alto, California 94304-1018, telephone (650) 813-5600, to prosecute this application and transact all matters in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorneys in accordance with the provisions of 37 C.F.R. § 3.71 provided that if any one of said attorneys or agents ceases being affiliated with the law firm of Morrison & Foerster LLP as partner, employee or of counsel, such attorney's or agent's appointment as attorney or agent and all powers derived therefrom shall terminate on the date such attorney or agent ceases being so affiliated.

Please direct all written communications relative to this application to:

Charles D. Holland  
Morrison & Foerster LLP  
755 Page Mill Road  
Palo Alto, California 94304-1018

Please direct all telephone communications to Charles D. Holland at (650) 813-5832.

GenoSpectra, Inc.  
a California corporation

Dated: May 2, 2002

A handwritten signature in black ink, appearing to read 'Anthony C. Chen', is written over a horizontal line.

Name: Anthony C. Chen

Title: President

Address: 6519 Dumbarton Circle, Fremont  
California 94555